

Remarks

Reconsideration of this application as amended is respectfully requested.

Examiner Interview

Applicant thanks the Examiner for the courtesy of the telephone interview on May 23, 2007 in which the Examiner clarified the 101 rejection and Applicant discussed with the Examiner potential claim amendments that overcome the 101 rejection. Applicant respectfully submits that the Examiner indicated the proposed claim amendments would overcome the 101 rejection. In response, Applicant respectfully submits the proposed claims amendments in the present Office Action response.

Rejections under 35 U.S.C. § 101

The Examiner rejected claims 23-25 and 30-33 under 35 U.S.C. § 101 because the Examiner asserts the claimed invention is directed towards non-statutory subject matter. In particular, the Examiner asserts that tangible machine-readable medium claims 23-25 and 30-33 are not limited to storage medium embodiments. In response, Applicant modified claims to claim "A machine-readable medium that stores instructions." Applicant respectfully submits that claims 23-25 and 30-33, as amended, satisfy the requirements of 35 U.S.C. § 101.

Rejections under 35 U.S.C. 102(e)

Applicant's claims 6-9, 23-25, and 30-33 have been rejected under 102(e) as being anticipated by Rekhtar, et al., US Patent No. 6,339,595. Applicant respectfully submits that Rekhtar does not disclose each and every element of the invention as claimed in claims 6-9, 23-25, and 30-33.

Rekhtar discloses creating multiple virtual private networks (VPNs) using edge and transit routers (Rekhtar, Abstract). A VPN is private wide-area network is a private network connecting remote customers network over a service provider's core network (Rekhtar, Fig. 1, col. 6, lines 17-25). Each edge router couples to one or more customer networks to act as the ingress or egress points with the customer's remote networks

(Rekhtar, col. 2, lines 63-65). The transit routers forward the customer's VPN traffic within the service provider's core network (Rekhtar, col. 2, line 66- col. 3, line 7).

The edge router identifies traffic as belonging to a particular customer's VPN, tags the incoming traffic, and forwards the tagged traffic to the next hop transit router (Rekhtar, col. 2, lines 63-65). In one embodiment, each edge router has a separate forwarding information base (FIB) for each supported VPN, but has only a general FIB for all other forwarding decisions (Rekhtar, col. 9, lines 27-35). In another embodiment, Rekhtar discloses that the edge router has a "common table containing VPN-identified entries" instead of separate FIB tables for each VPN (Rekhtar, col. 33, lines 36-41). Thus, Rekhtar discloses VPN related routing information as either a separate FIB table for each VPN or a common FIB table for all the VPNs. Rekhtar does not disclose maintaining some VPN forwarding information in a common VPN forwarding table and other VPN forwarding information in separate VPN tables.

Applicant respectfully submits that Rekhtar does not teach or suggest Applicant's claims. In particular, Rekhtar discloses either maintaining separate FIBs for each VPN or a common FIB table for all the VPNs. However, Rekhtar does not teach or suggest maintaining EGP forwarding information for the VPNs in a single VPN forwarding table and non-EGP forwarding information in separate tables for each VPN.

For example, claims 6, 23, and 30, as amended, require "maintaining a first set of information for a first layer 3 VPN (virtual private network), the first set of information for including a first value identifying the first layer 3 virtual private network separately maintaining a second set of information for a second layer 3 virtual private network the second set of information for including a second value identifying the second layer 3 virtual private network, wherein the first and second sets of information corresponds to a first and second customers accessing a backbone and maintained within a single network element of the backbone, and wherein the first and second sets of information include sufficient information to establish the first and second layer 3 virtual private networks VPNs with other network elements of the backbone for the first and second customer respectively; associating the first value with a first route distinguisher; associating the second value with a second route distinguisher; ... maintaining a single exterior gateway protocol (EGP) table for the first and second layer 3 VPNs, wherein the single EGP table

comprises EGP forwarding entries for the first and second layer 3 VPNs; maintaining a first routing table for the first layer 3 VPN, wherein the first routing table comprises non-EGP forwarding entries for the first layer 3 VPN; and maintaining a second routing table for the second layer 3 VPN, wherein the second routing table comprises non-EGP forwarding entries for the second layer 3 VPN.”

The above quoted limitations are not described or suggested by Rekhtar. While there are various uses for the invention as claimed, several such uses are discussed at paragraphs 0028-0030 and 0038 - 0042. Thus, while the invention is not limited to the uses discussed in these paragraphs, it should be understood that Rekhtar does not enable these uses and the above quoted limitations do.

For at least these reasons, Applicant respectfully submits that the independent claims are allowable. The Applicant respectfully submits that the dependant claims are allowable for at least the reason that they are dependent on an allowable independent claim.

Conclusion

Applicant respectfully submits that the rejections have been overcome by the amendments and remarks, and that the Claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the Claims as amended be allowed.

Invitation for a telephone interview

The Examiner is invited to call the undersigned at 408-720-8300 if there remains any issue with allowance of this case.

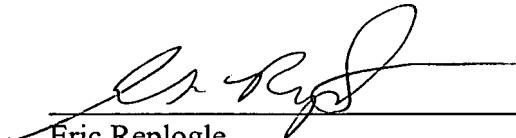
Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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